



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

AFB  
TFW

In the Application of: **Yasushige NAKAMURA et al.**

Group Art Unit: **1756**

Serial No.: **09/935,668**

Examiner: **Janis L. DOTE**

Filed: **August 24, 2001**

Confirmation No.: **1050**

For: **IMAGING COLOR TONER, COLOR-IMAGE FORMING METHOD  
AND COLOR IMAGE FORMING APPARATUS**

Attorney Docket Number: **011071**

Customer Number: **38834**

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

August 8, 2005

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 7, 2005 of the Examiner.

The item(s) checked below are appropriate:

1. ☒ A petition for a first month extension of time to respond to the Final Rejection is filed herewith.
  2. ☒ A timely response to the Final Rejection has been filed, as provided in 37 C.F.R. 1.113.
  3. ☒ Fee -\$500.00 or ☐ Small Entity -\$250.00
- ☒ Enclosed  
☐ Not required (fee paid in prior appeal)  
☐ Charge to Deposit Account No. 50-2866

If this Notice of Appeal is not timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees that may be required with respect to this Notice.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

08/09/2005 SZWDIE1 00000083 09935668

01 FC:1401

500.00 OP

By:

Kenneth H. Salen  
Reg. No. 43,077  
Tel: (202) 822-1100  
Fax: (202) 822-1111